

Kevin R. Anderson (4786)  
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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

In re:  RICK SIMMONS,  Debtor.	Case No. 14-31041 Chapter 13 Hon. R. Kimball Mosier <i>Hearing August 31, 2015 at 10:00 a.m.</i>
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**TRUSTEE'S RESPONSE TO DEBTOR'S OBJECTION TO TRUSTEE'S MOTION  
TO DISMISS FOR FAILURE TO SUBMIT 2014 TAX RETURNS/REFUNDS**

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Kevin R. Anderson, Chapter 13 Trustee, by and through counsel, hereby responds to the above-referenced Motion as follows:

1. The Trustee filed a Motion to Dismiss for failure to submit 2014 tax returns/refunds, as required by the Confirmation Order.
2. Trustee objects to denial of his Motion to Dismiss unless he receives the 2014 Federal and State Tax Returns prior to the 8/31/2015 hearing.
3. Trustee objects to denial of his Motion to Dismiss if the payment of the net Tax Refunds in excess of \$1,000.00, if any, are not paid into the plan by November, 30, 2015.
4. The Trustee has no objection to the requested attorney's fees of \$500.00 according to the fee application filed.

5. Trustee requests language to be included in order: If any portion of the cure payment is subsequently returned to the Trustee as unpaid for any reason, including insufficient funds, the Trustee may file a Declaration of Non-Compliance, and this case will be dismissed without further notice or hearing.

WHEREFORE, the Trustee objects to entry of an Order granting the relief requested in the Motion.

DATED: August 17, 2015.

Tami Gadd-Willardson /s/  
TAMI GADD-WILLARDSON  
Attorney for Chapter 13 Trustee

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing paper was served on the following person on August 17, 2015

ENDERTON & MATHEWS, LLC  
ECF Notification

/s/ K. Ott  
Office of the Chapter 13 Trustee